

CAREER AND TECHNICAL EDUCATION AMENDMENTS

REVISED -- Utah Institute of Technology Version

LONG TITLE

General Description:

This bill modifies provisions relating to career and technical education, including governance structures.

Highlighted Provisions:

This bill:

- ▶ modifies terminology, definitions, and other provisions relating to career and technical education;
- ▶ establishes a new governance structure for career and technical education, including the transition to:
 - the Utah Institute of Technology from the Utah College of Applied Technology;
 - the Utah Institute of Technology Board of Trustees from the Utah College of Applied Technology Board of Trustees; and
 - campuses from the regional applied technology colleges;
- ▶ modifies the membership of the State Board of Regents;
- ▶ modifies the membership, appointment procedures, and duties of the Utah College of Applied Technology Board of Trustees;
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on July 1, 2009.

List of sections affected:

AMENDS:

53A-1-402

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

31 53A-15-202

32 53B-1-102

33 53B-1-103

34 53B-1-104

35 53B-2-104

36 53B-2-106

37 53B-2a-101

38 53B-2a-102

39 53B-2a-103

40 53B-2a-104

41 53B-2a-105

42 53B-2a-106

43 53B-2a-107

44 53B-2a-108

45 53B-2a-109

46 53B-2a-110

47 53B-2a-111

48 53B-2a-112

49 53B-2a-113

50 53B-6-101

51 53B-8-105

52 53B-8-108

53 53B-16-102

54 53B-16-205

55 53B-16-206

56 53B-16-207

57 53B-16-208

58 ENACTS:

59 53B-2a-114

60

61 Statutory text:

62

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

53A-1-402. Board to establish minimum standards for public schools.

(1) The State Board of Education shall establish rules and minimum standards for the public schools that are consistent with this title, including rules and minimum standards governing the following:

(a) (i) the qualification and certification of educators and ancillary personnel who provide direct student services;

(ii) required school administrative and supervisory services; and

(iii) the evaluation of instructional personnel;

(b) (i) access to programs;

(ii) attendance;

(iii) competency levels;

(iv) graduation requirements; and

(v) discipline and control;

(c) (i) school accreditation;

(ii) the academic year;

(iii) alternative and pilot programs;

(iv) curriculum and instruction requirements;

(v) school libraries; and

(vi) services to:

(A) persons with a disability as defined by and covered under:

(I) the Americans with Disabilities Act of 1990, 42 U.S.C. 12102;

(II) the Rehabilitation Act of 1973, 29 U.S.C. 705(20)(A); and

(III) the Individuals with Disabilities Education Act, 20 U.S.C. 1401(3); and

(B) other special groups;

(d) (i) state reimbursed bus routes;

(ii) bus safety and operational requirements; and

(iii) other transportation needs; and

(e) (i) school productivity and cost effectiveness measures;

(ii) federal programs;

(iii) school budget formats; and

(iv) financial, statistical, and student accounting requirements.

(2) The board shall determine if:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

(a) the minimum standards have been met; and

(b) required reports are properly submitted.

(3) The board may apply for, receive, administer, and distribute to eligible applicants funds made available through programs of the federal government.

(4) (a) The Utah ~~[College of Applied]~~ Institute of Technology shall provide competency-based career and technical education courses that fulfill high school graduation requirements, as requested and authorized by the State Board of Education.

(b) A school district may grant a high school diploma to a student participating in courses described under Subsection (4)(a) that are provided by the Utah ~~[College of Applied]~~ Institute of Technology.

53A-15-202. Powers of the board.

The State Board of Education:

(1) shall establish minimum standards for ~~[applied technology]~~ career and technical education programs in the public education system;

(2) may apply for, receive, administer, and distribute funds made available through programs of federal and state governments to promote and aid ~~[applied technology]~~ career and technical education;

(3) shall cooperate with federal and state governments to administer programs which promote and maintain ~~[applied technology]~~ career and technical education;

(4) shall cooperate with the Utah ~~[College of Applied]~~ Institute of Technology to ensure that students in the public education system have access to ~~[applied technology]~~ career and technical education at Utah ~~[College of Applied]~~ Institute of Technology campuses;

(5) shall require that before a minor student may participate in clinical experiences as part of a health care occupation program at a high school or other institution to which the student has been referred, the student's parent or legal guardian has:

(a) been first given written notice through appropriate disclosure when registering and prior to participation that the program contains a clinical experience segment in which the student will observe and perform specific health care procedures that may include personal care, patient bathing, and bathroom assistance; and

(b) provided specific written consent for the student's participation in the program and

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

- 127 clinical experience; and
- 128 (6) shall, after consulting with [local] school districts and charter schools, prepare and
- 129 submit an annual report to the governor and to the Legislature's Education Interim
- 130 Committee by October 31 of each year detailing:
- 131 (a) how the [applied technology] career and technical education needs of secondary
- 132 students are being met; and
- 133 (b) what access secondary students have to programs offered:
- 134 (i) at [applied technology colleges] Utah Institute of Technology campuses; and
- 135 (ii) within the regions served by Snow College and the College of Eastern Utah.

136

137 **53B-1-102. State system of higher education.**

- 138 (1) The state system of higher education consists of the following institutions:
- 139 (a) State Board of Regents;
- 140 (b) the University of Utah;
- 141 (c) Utah State University of Agricultural and Applied Science, hereafter referred to in
- 142 this title as Utah State University;
- 143 (d) Weber State University;
- 144 (e) Southern Utah University;
- 145 (f) Snow College;
- 146 (g) Dixie State College of Utah;
- 147 (h) the College of Eastern Utah;
- 148 (i) Utah Valley University;
- 149 (j) Salt Lake Community College;
- 150 (k) the Utah [College of Applied] Institute of Technology; and
- 151 (l) other public post-high school educational institutions as the Legislature may
- 152 designate.
- 153 (2) A change in the name of an institution within the system of higher education shall
- 154 not be considered a change in the role or mission of the institution, unless otherwise
- 155 authorized by the State Board of Regents.
- 156 (3) It is not the intent of the Legislature to increase the number of research
- 157 universities in the state beyond the University of Utah and Utah State University.
- 158 (4) These institutions are empowered to sue and be sued and to contract and be

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

159 contracted with.

160

161 **53B-1-103. Establishment of State Board of Regents -- Powers and authority.**

162 (1) There is established a State Board of Regents.

163 (2) (a) ~~[The]~~ Except as provided in Subsection (2)(b), the board is vested with the
164 control, management, and supervision of the institutions of higher education designated in
165 Section 53B-1-102 in a manner consistent with the policy and purpose of this title and the
166 specific powers and responsibilities granted to it.

167 (b) The board ~~[is vested with the following]~~ may only exercise powers relating to the
168 Utah ~~[College of Applied]~~ Institute of Technology and its ~~[college]~~ campuses~~[:]~~ that are
169 specifically provided in this title.

170 ~~[(i) approving each competency-based associate of applied technology degree before~~
171 ~~allowing a college campus to offer the degree;~~

172 ~~—— (ii) making rules governing the transfer of applied technology education degrees~~
173 ~~awarded by the Utah College of Applied Technology to other higher education institutions;~~

174 ~~—— (iii) appointing the president for the Utah College of Applied Technology in~~
175 ~~accordance with Section 53B-2a-102 and board policy; and~~

176 ~~—— (iv) facilitating and coordinating the operation of the Utah College of Applied~~
177 ~~Technology within the system of higher education.]~~

178 (c) (i) ~~[Except for the Utah College of Applied Technology, the]~~ The board may
179 modify the name of an institution under its control and management, as designated in
180 Section 53B-1-102, to reflect the role and general course of study of the institution.

181 (ii) Subsection (2)(c)(i) does not apply to the Utah Institute of Technology.

182 (3) The board is the State Postsecondary Review Entity for Utah for purposes of Title
183 IV, Part H, of the federal Higher Education Act of 1965, as amended by the Higher Education
184 Act Amendments of 1992.

185 (4) This section does not affect the power and authority vested in the State Board of
186 Education to apply for, accept, and manage federal appropriations for the establishment and
187 maintenance of ~~[applied technology]~~ career and technical education.

188

189 **53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath --**

190 **Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.**

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

(1) (a) The board shall consist of ~~[48]~~ 19 residents of the state.

(b) (i) Fifteen members shall be appointed by the governor with the consent of the Senate.

(ii) (A) One additional member shall be appointed by the governor from nominations of the student body presidents council.

(B) The council shall nominate three qualified, matriculated students enrolled in the state institutions of higher education.

(C) Student body presidents are not eligible for nomination.

(iii) All appointments to the board shall be made on a nonpartisan basis.

(iv) In making appointments to the board, the governor shall select:

(A) individuals from the state at large with due consideration for geographical representation; and

(B) at least three individuals with personal experience in ~~[applied technology]~~ career and technical education, which could include service on a campus board of directors.

(c) (i) In addition to the members designated under Subsection (1)(b), two members of the State Board of Education, appointed by the chair of the State Board of Education, shall serve as nonvoting members of the board.

(ii) A nonvoting State Board of Education member shall continue to serve as a member without a set term until the member is replaced by the chair of the State Board of Education.

(d) In addition to the members designated under Subsection (1)(b), one member of the Utah Institute of Technology Board of Trustees, appointed by the chair of the Utah Institute of Technology Board of Trustees, shall serve as a nonvoting member of the board.

(ii) A nonvoting Utah Institute of Technology Board of Trustees member shall continue to serve as a member without a set term until the member is replaced by the chair of the Utah Institute of Technology Board of Trustees.

(2) (a) Five members of the board, other than the student member, ~~[and]~~ the State Board of Education members, and the Utah Institute of Technology Board of Trustees member, shall be appointed during each odd-numbered year to six-year staggered terms which commence on July 1 of the year of appointment.

(b) (i) The student member shall be appointed for a one-year term and may be reappointed for one additional term.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

223 (ii) The student member has full voting rights and may vote on selection of a board
224 chair or vice chair, but not serve in either office.

225 (c) Board members shall hold office until their successors have been appointed and
226 qualified.

227 (3) (a) Each member of the board shall take the official oath of office before entering
228 upon the duties of office.

229 (b) The oath shall be filed with the Division of Archives and Records Services.

230 (4) The board shall elect a chair and vice chair from its members who shall serve
231 terms of two years and until their successors are chosen and qualified.

232 (5) (a) The board shall appoint a secretary from the staff of its chief executive to serve
233 at its discretion.

234 (b) The secretary shall be a full-time employee who receives a salary set by the
235 board.

236 (c) The secretary shall record and maintain a record of all board meetings and
237 perform other duties as the board directs.

238 (6) The board shall appoint a treasurer who serves at the discretion of the board.

239 (7) (a) The board may establish advisory committees.

240 (b) The powers and authority of the board are nondelegable, except as specifically
241 provided for in this title.

242 (c) All matters requiring board determination shall be addressed in a properly
243 convened meeting of the board or its executive committee.

244 (8) The board shall enact bylaws for its own government not inconsistent with the
245 constitution or the laws of this state.

246 (9) (a) The board shall meet regularly upon its own determination.

247 (b) The board may also meet, in full or executive session, at the request of its chair,
248 its executive officer, or five members of the board.

249 (10) A quorum of the voting members of the board is required to conduct its business
250 and consists of nine members.

251 (11) (a) A vacancy in the board occurring before the expiration of a voting member's
252 full term shall be immediately filled by appointment by the governor with the consent of the
253 Senate.

254 (b) The appointee serves for the remainder of the unexpired term.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

255 (12) (a) Each member of the board shall receive a per diem as provided by law as
256 compensation for services for attending meetings of the board.

257 (b) Each member shall also be paid actual expenses incurred for attending meetings
258 of the board or its committees or for attending to any business of the institutions under the
259 direction of the board or authority of the board or its committees.

260

261 **53B-2-104. Memberships of board of trustees -- Terms -- Vacancies -- Oath --**
262 **Officers -- Bylaws -- Quorum -- Committees -- Compensation.**

263 (1) (a) The board of trustees of an institution of higher education consists of the
264 following:

265 (i) eight persons appointed by the governor and approved by the Senate; and

266 (ii) two ex officio members who are the president of the institution's alumni
267 association, and the president of the associated students of the institution.

268 (b) The appointed members of the boards of trustees for Utah Valley University and
269 Salt Lake Community College shall be representative of the interests of business, industry,
270 and labor.

271 (2) (a) The governor shall appoint four members of each board of trustees during
272 each odd-numbered year to four-year terms commencing on July 1 of the year of
273 appointment.

274 (b) An appointed member holds office until a successor is appointed and qualified.

275 (c) The ex officio members serve for the same period as they serve as presidents and
276 until their successors have qualified.

277 (3) When a vacancy occurs in the membership for any reason, the replacement shall
278 be appointed for the unexpired term.

279 (4) (a) Each member shall take the official oath of office prior to assuming the office.

280 (b) The oath shall be filed with the Division of Archives and Records Services.

281 (5) Each board of trustees shall elect a chair and vice chair, who serve for two years
282 and until their successors are elected and qualified.

283 (6) (a) Each board of trustees may enact bylaws for its own government, including
284 provision for regular meetings.

285 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

286 (ii) If established, the committee shall have full authority of the board of trustees to act

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

287 upon routine matters during the interim between board of trustees meetings.

288 (iii) The committee may act on nonroutine matters only under extraordinary and
289 emergency circumstances.

290 (iv) The committee shall report its activities to the board of trustees at its next regular
291 meeting following the action.

292 (c) Copies of the board of trustees' bylaws shall be filed with the board.

293 (7) A quorum is required to conduct business and consists of six members.

294 (8) A board of trustees may establish advisory committees.

295 (9) (a) (i) Members who are not government employees shall receive no
296 compensation or benefits for their services, but may receive per diem and expenses incurred
297 in the performance of the member's official duties at the rates established by the Division of
298 Finance under Sections 63A-3-106 and 63A-3-107.

299 (ii) Members may decline to receive per diem and expenses for their service.

300 (b) (i) State government officer and employee members who do not receive salary,
301 per diem, or expenses from their agency for their service may receive per diem and
302 expenses incurred in the performance of their official duties from the board at the rates
303 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

304 (ii) State government officer and employee members may decline to receive per diem
305 and expenses for their service.

306 (c) (i) Higher education members who do not receive salary, per diem, or expenses
307 from the entity that they represent for their service may receive per diem and expenses
308 incurred in the performance of their official duties from the committee at the rates established
309 by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

310 (ii) Higher education members may decline to receive per diem and expenses for their
311 service.

312 (10) This section does not apply to the Utah ~~College of Applied~~ Institute of
313 Technology.

314

315 **53B-2-106. Duties and responsibilities of the president of each institution --**

316 **Approval by board of trustees.**

317 (1) The president of each institution may exercise grants of power and authority as
318 delegated by the board, as well as the necessary and proper exercise of powers and

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

319 authority not specifically denied to the institution, its administration, faculty, or students by the
320 board or by law, to assure the effective and efficient administration and operation of the
321 institution consistent with the statewide master plan for higher education.

322 (2) Except as provided by the board, the president of each institution, with the
323 approval of the institution's board of trustees may:

324 (a) (i) appoint a secretary, a treasurer, administrative officers, deans, faculty
325 members, and other professional personnel, prescribe their duties, and determine their
326 salaries;

327 (ii) appoint support personnel, prescribe their duties, and determine their salaries from
328 the institution's position classification plan, which may:

329 (A) be based upon similarity of duties and responsibilities within the institution; and

330 (B) as funds permit, provide salary and benefits comparable with private enterprise;

331 (iii) adopt policies for:

332 (A) employee sick leave use and accrual; and

333 (B) service recognition for employees with more than 15 years of employment with
334 the institution;

335 (iv) subject to the authority of, policy established by, and the approval of the board of
336 regents, and recognizing the status of the institutions within the state system of higher
337 education as bodies politic and corporate, appoint attorneys to provide legal advice to the
338 institution's administration and to coordinate legal affairs within the institution. The board of
339 regents shall coordinate activities of attorneys at the institutions of higher education. The
340 institutions shall provide an annual report to the board of regents on the activities of
341 appointed attorneys. These appointed attorneys may not conduct litigation, settle claims
342 covered by the State Risk Management Fund, or issue formal legal opinions but shall, in all
343 respects, cooperate with the Office of the Attorney General in providing legal representation
344 to the institution;

345 (b) provide for the constitution, government, and organization of the faculty and
346 administration, and enact implementing rules, including the establishment of a prescribed
347 system of tenure;

348 (c) authorize the faculty to determine the general initiation and direction of instruction
349 and of the examination, admission, and classification of students. In recognition of the
350 diverse nature and traditions of the various institutions governed by the board, the systems of

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

351 faculty government need not be identical but should be designed to further faculty
352 identification with and involvement in the institution's pursuit of achievement and excellence
353 and in fulfillment of the institution's role as established in the statewide master plan for higher
354 education; and

355 (d) enact rules for administration and operation of the institution which are consistent
356 with the prescribed role established by the board, rules enacted by the board, or the laws of
357 the state. The rules may provide for administrative, faculty, student, and joint committees
358 with jurisdiction over specified institutional matters, for student government and student
359 affairs organization, for the establishment of institutional standards in furtherance of the
360 ideals of higher education fostered and subscribed to by the institution, its administration,
361 faculty, and students, and for the holding of classes on legal holidays, other than Sunday.

362 (3) Compensation costs and related office expenses for appointed attorneys shall be
363 funded within existing budgets.

364 (4) The State Board of Regents shall establish guidelines relating to the roles and
365 relationships between institutional presidents and boards of trustees, including those matters
366 which must be approved by a board of trustees before implementation by the president.

367 (5) This section does not apply to the Utah ~~[College of Applied]~~ Institute of
368 Technology.

369

370 **53B-2a-101. Definitions.**

371 As used in this chapter:

372 (1) "~~[Applied technology]~~ Career and technical education" means organized
373 educational programs offering sequences of courses or skill sets directly related to preparing
374 individuals for paid or unpaid employment in current or emerging occupations that do not
375 require a baccalaureate or advanced degree.

376 (2) "Board of trustees" means the Utah ~~[College of Applied]~~ Institute of Technology
377 Board of Trustees.

378 (3) "~~[College campus]~~ Campus" means a ~~[college]~~ campus of the Utah ~~[College of~~
379 Applied] Institute of Technology.

380 (4) "Competency-based" means mastery of subject matter or skill level, as
381 demonstrated through business and industry approved standards and assessments,
382 achieved through participation in a hands-on learning environment, and which is tied to

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

383 observable, measurable performance objectives.

384 (5) "High wage jobs" means jobs with an annual salary at or above the median salary
385 in the service region of the [college] campus.

386 (6) "Open-entry, open-exit" means:

387 (a) a method of instructional delivery that allows for flexible scheduling in response to
388 individual student needs or requirements and demonstrated competency when knowledge
389 and skills have been mastered; [and]

390 (b) students have the flexibility to begin or end study at any time, progress through
391 course material at their own pace, and demonstrate competency when knowledge and skills
392 have been mastered[:]; and

393 _____ (c) [If] if competency is demonstrated in a program of study, a credential, certificate,
394 diploma, or degree may be awarded.

395

396 **53B-2a-102. President -- Appointment -- Duties.**

397 (1) (a) The board of trustees shall appoint a president for the Utah [College of
398 Applied] Institute of Technology.

399 (b) The president of the Utah [College of Applied] Institute of Technology does not
400 need to have a doctorate degree, but shall have extensive experience in [applied technology]
401 career and technical education.

402 (c) The president shall serve at the [board's] board of trustee's discretion.

403 (d) The names of the final candidates for president of the Utah [College of Applied]
404 Institute of Technology shall be publicly disclosed.

405 ~~[(e) The chair and vice chair of the Utah [College of Applied] Institute of Technology~~
406 ~~Board of Trustees shall be members of the search committee for the president.]~~

407 (2) The president shall:

408 (a) direct the Utah [College of Applied] Institute of Technology and coordinate the
409 activities of each of its [college] campuses;

410 ~~[(b) in cooperation with the board of trustees and with the approval of the board,~~
411 ~~develop a competency-based associate of applied technology degree;]~~

412 ~~[(c) ensure that, pursuant to State Board of Regents' rules, an [applied technology]~~
413 ~~career and technical education degree is primarily a terminal degree, but is transferable to a~~
414 ~~bachelor's degree in [applied technology] career and technical education at other higher~~

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

415 ~~education institutions under specific articulation agreements;~~

416 ~~[(d)]~~ (b) in consultation with the board of trustees, campus presidents, and campus
417 boards of directors, prepare a comprehensive strategic plan for delivering ~~[applied~~
418 ~~technology]~~ career and technical education through the Utah ~~[College of Applied]~~ Institute of
419 Technology ~~[college]~~ campuses;

420 ~~[(e)]~~ (c) after consulting with ~~[local]~~ school districts, charter schools and other higher
421 education institutions in the regions, ensure that the curricula of the Utah ~~[College of Applied]~~
422 Institute of Technology meet the needs of the state, the regions, and the ~~[local]~~ school
423 districts;

424 ~~[(f)]~~ (d) in consultation with the board of trustees, campus presidents, and campus
425 boards of directors, and after consulting with ~~[local]~~ school districts, charter schools, and
426 other higher education institutions in the region, develop strategies for providing ~~[applied~~
427 ~~technology]~~ career and technical education in rural areas, specifically considering the
428 distances between rural ~~[applied technology]~~ career and technical education providers;

429 ~~[(g)]~~ (e) establish minimum standards for ~~[applied technology]~~ career and technical
430 education programs of the Utah ~~[College of Applied]~~ Institute of Technology ~~[college]~~
431 campuses;

432 ~~[(h)]~~ (f) in conjunction with the board of trustees, do the following:

433 (i) develop and implement a system of common definitions, standards, and criteria for
434 tracking and measuring the effectiveness of ~~[applied technology]~~ career and technical
435 education;

436 (ii) maintain a central administration office for coordination, prioritization, support, and
437 reporting of ~~[college]~~ institute functions dealing with:

438 (A) budgets and audits;

439 (B) facilities, including capital, capital development, and leases;

440 (C) management information systems;

441 (D) campus and ~~[college]~~ institute master planning efforts;

442 (E) strategic planning;

443 (F) articulation;

444 ~~[(F)]~~ (G) legislative, State System of Public Education, State System of Higher
445 Education, and Board of Regents contact;

446 ~~[(G)]~~ (H) general data collection; and

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

447 ~~[(H)]~~ (I) programs, certificates, and curriculum; and
448 (iii) develop and implement a plan to inform citizens about the availability, cost, and
449 advantages of ~~[applied technology]~~ career and technical education;
450 ~~[(i)]~~ (g) after consulting with the State Board of Education, ~~[and local]~~ school districts,
451 and charter schools, ensure that secondary students in the public education system have
452 access to ~~[applied technology]~~ career and technical education through the Utah ~~[College of~~
453 Applied] Institute of Technology ~~[college]~~ campuses; ~~[and]~~
454 ~~[(j)]~~ (h) provide expertise ~~[and monitor]~~ [applied technology] for career and technical
455 education within the regions served by Snow College and the College of Eastern Utah in
456 accordance with Sections 53B-16-205 and 53B-16-207.
457 (i) in conjunction with the board of trustees, establish benchmarks, provide oversight,
458 evaluate program performance, and obtain independent audits to ensure that campuses
459 follow the non-credit career and technical education mission described in this part; and
460 (j) appoint campus presidents in accordance with Section 53B-2a-107 and set their
461 salaries with the approval of the board of trustees.

462 463 **53B-2a-103. Utah ~~[College of Applied]~~ Institute of Technology Board of** 464 **Trustees -- Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum --** 465 **Committees -- Compensation.**

466 (1) There is created the Utah ~~[College of Applied]~~ Institute of Technology Board of
467 Trustees, composed of the following members:

468 (a) ~~[two members]~~ one member of the State Board of Education appointed by the
469 ~~[governor with the consent of the Senate]~~ chair of the State Board of Education;

470 (b) ~~[two members]~~ one member of the State Board of Regents appointed by the
471 ~~[governor with the consent of the Senate]~~ chair of the State Board of Regents;

472 (c) one member representing business and industry employers from the regional
473 board of each regional applied technology college appointed by a majority vote of the
474 business and industry members of the regional board;

475 ~~[(d) one member representing business and industry employers from the Snow~~
476 ~~College applied technology advisory committee appointed by a majority of the business and~~
477 ~~industry members of the advisory committee;~~

478 ~~———— (e) one member representing business and industry employers from the College of~~

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

479 ~~Eastern Utah applied technology advisory committee appointed by a majority of the business~~
480 ~~and industry members of the advisory committee; and]~~

481 ~~[(f)]~~ (c) one business or industry representative appointed by the governor with the
482 consent of the Senate from nominations submitted by the speaker of the House of
483 Representatives and president of the Senate.

484 (d) one representative of union craft, trade, or apprenticeship programs that prepare
485 workers for employment in career and technical education fields, appointed by the governor
486 with the consent of the Senate;

487 (e) one representative of non-union craft, trade, or apprenticeship programs that
488 prepare workers for employment in career and technical education fields, appointed by the
489 governor with the consent of the Senate;

490 (f) the executive director of the Department of Workforce Services or the executive
491 director's designee; and

492 (g) the executive director of the Governor's Office of Economic Development or the
493 executive director's designee.

494 (2)(a) In making appointments to the board of trustees, the governor shall consider:

495 (i) individuals from the state at large with due consideration for geographical
496 representation;

497 (ii) individuals recognized for their knowledge and expertise; and

498 (iii) individuals who represent current and emerging technical career clusters of the
499 state.

500 (b) Appointments to the board shall be made on a nonpartisan basis.

501 ~~[(2)]~~ (3) (a) ~~[The]~~ Except as provided under Subsection (3)(b), members of the board
502 of trustees shall be appointed commencing on ~~[September]~~ July 1 of ~~[the]~~ each
503 ~~odd-numbered~~ year ~~[of appointment]~~ to a four-year term. ~~[to:~~

504 ~~—— (i) two-year terms for the members described in Subsections (1)(a) and (b); and~~

505 ~~—— (ii) four-year terms for the members described in Subsections (1)(c) through (f).]~~

506 (b) Initial terms of the board members beginning on July 1, 2009 shall be staggered
507 with two-year and four-year terms so that approximately one-half of the member's terms will
508 expire in any odd-numbered year.

509 ~~[(b)]~~ (c) An appointed member holds office until a successor is appointed and
510 qualified.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

511 (3) When a vacancy occurs in the membership for any reason, the replacement shall
512 be appointed for the unexpired term.

513 (4) (a) Each member shall take the official oath of office prior to assuming the office.

514 (b) The oath shall be filed with the Division of Archives and Records Services.

515 (5) The board of trustees shall elect a chair and vice chair, who serve for two years
516 and until their successors are elected and qualified.

517 (6) (a) The board of trustees may enact bylaws for its own government, including
518 provision for regular meetings.

519 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

520 (ii) If established, the committee shall have full authority of the board of trustees to act
521 upon routine matters during the interim between board of trustees meetings.

522 (iii) The committee may act on nonroutine matters only under extraordinary and
523 emergency circumstances.

524 (iv) The committee shall report its activities to the board of trustees at its next regular
525 meeting following the action.

526 ~~[(c) Copies of the board of trustees' bylaws shall be filed with the Board of Regents.]~~

527 (7) A quorum shall be required to conduct business which shall consist of a majority
528 of board of trustee members.

529 (8) The board of trustees may establish advisory committees.

530 (9) (a) (i) Members who are not government employees shall receive no
531 compensation or benefits for their services, but may receive per diem and expenses incurred
532 in the performance of the member's official duties at the rates established by the Division of
533 Finance under Sections 63A-3-106 and 63A-3-107.

534 (ii) Members may decline to receive per diem and expenses for their service.

535 (b) (i) State government officer and employee members who do not receive salary,
536 per diem, or expenses from their agency for their service may receive per diem and
537 expenses incurred in the performance of their official duties from the board of trustees at the
538 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

539 (ii) State government officer and employee members may decline to receive per diem
540 and expenses for their service.

541 (c) (i) Higher education members who do not receive salary, per diem, or expenses
542 from the entity that they represent for their service may receive per diem and expenses

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

543 incurred in the performance of their official duties from the board of trustees at the rates
544 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

545 (ii) Higher education members may decline to receive per diem and expenses for their
546 service.

547

548 **53B-2a-104. Utah ~~[College of Applied]~~ Institute of Technology Board of** 549 **Trustees -- Powers and duties.**

550 The Utah ~~[College of]~~ Institute of Applied Technology Board of Trustees shall:

551 ~~[(1) in cooperation with the president of the Utah ~~[College of Applied]~~ Institute of~~
552 ~~Technology, and with the approval of the State Board of Regents, develop~~
553 ~~competency-based associate of [applied technology] career and technical education degrees~~
554 ~~to be offered by the Utah ~~[College of Applied]~~ Institute of Technology;~~

555 ~~[(2) approve the courses and requirements for the associate of [applied technology]~~
556 ~~career and technical education degrees;~~

557 ~~—— [(3) ensure that, pursuant to State Board of Regents' rules, [an applied technology] a~~
558 ~~career and technical education degree is primarily a terminal degree, but is transferable to a~~
559 ~~bachelor's degree in [applied technology] career and technical education at other higher~~
560 ~~education institutions under specific articulation agreements;]~~

561 ~~[(4)]~~ (1) ensure that the Utah ~~[College of Applied]~~ Institute of Technology ~~[college]~~
562 campuses comply with the requirements in Section 53B-2a-106;

563 (2) appoint the president for the Utah Institute of Technology in accordance with
564 Section 53B-2a-102;

565 ~~[(5)]~~ (3) advise the president of the Utah ~~[College of Applied]~~ Institute of Technology
566 ~~[and the State Board of Regents]~~ on issues related to ~~[applied technology]~~ career and
567 technical education, including articulation;

568 ~~[(6)]~~ (4) receive budget requests from each ~~[college]~~ campus, compile and prioritize
569 the requests, and submit the request to:

570 (a) the Legislature; and

571 (b) the Governor's Office of Planning and Budget;

572 ~~[(7)]~~ (5) receive funding requests pertaining to capital facilities and land purchases
573 from each ~~[college]~~ campus, ensure that the requests comply with Section 53B-2a-112,
574 prioritize the requests, and submit the prioritized requests to the State Building Board;

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

575 (6) in conjunction with the Utah Institute of Technology president, establish
576 benchmarks, provide oversight, evaluate program performance, and obtain independent
577 audits to and ensure that campuses follow the non-credit career and technical education
578 mission described in this part;

579 ~~[(8)]~~ (7) prepare and submit an annual report detailing its progress and
580 recommendations on ~~[applied technology]~~ career and technical education issues to the
581 governor and to the Legislature's Education Interim Committee by October 31 of each year,
582 which shall include information detailing:

583 (a) how the ~~[applied technology]~~ career and technical education needs of secondary
584 students are being met; and

585 (b) how the emphasis on high demand, high wage jobs in business and industry
586 described in Subsection 53B-2a-106(1)(c)(ii) is being provided; ~~[and]~~

587 (c) job placement; and

588 ~~[(c)]~~ (d) what access secondary students have to programs offered [:

589 ~~—— (i) at [college] Utah Institute of Technology campuses; and [and~~

590 ~~—— [(ii) within the regions served by Snow College and the College of Eastern Utah;]~~

591 ~~—— [[(9)] (11) receive, by September 30 of each year, an annual report from Snow~~

592 ~~College and the College of Eastern Utah on the status of and maintenance of the effort for~~

593 ~~[applied technology] career and technical education in the regions served by Snow College~~

594 ~~and the College of Eastern Utah, including access to open-entry, open-exit~~

595 ~~competency-based [applied technology] career and technical education programs at the~~

596 ~~tuition rate approved by the Utah [College of Applied] Institute of Technology for adults and~~

597 ~~at no tuition cost to secondary students; [and]]]~~

598 ~~[(10)]~~ (8) ~~[perform other duties and responsibilities prescribed under the policies of]~~

599 collaborate about the delivery of career and technical education with the State Board of

600 Regents, the State Board of Education, the State System of Public Education, the State

601 System of Higher Education, the Department of Workforce Services, and the Governor's

602 Office of Economic Development.

603

604 **53B-2a-105. Utah ~~[College of Applied]~~ Institute of Technology -- Composition.**

605 The Utah ~~[College of Applied]~~ Institute of Technology is composed of the following

606 [college] campuses:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

607 (1) the Bridgerland [\[Applied Technology College\]](#) Campus which serves the
608 geographic area encompassing:

- 609 (a) the Box Elder School District;
- 610 (b) the Cache School District;
- 611 (c) the Logan School District; and
- 612 (d) the Rich School District;

613 (2) the Ogden-Weber [\[Applied Technology College\]](#) Campus which serves the
614 geographic area encompassing:

- 615 (a) the Ogden City School District; and
- 616 (b) the Weber School District;

617 (3) the Davis [\[Applied Technology College\]](#) Campus which serves the geographic
618 area encompassing:

- 619 (a) the Davis School District; and
- 620 (b) the Morgan School District;

621 (4) the Salt Lake/Tooele [\[Applied Technology College\]](#) Campus which serves the
622 geographic area encompassing:

- 623 (a) the Salt Lake City School District;
- 624 (b) the Granite School District;
- 625 (c) the Jordan School District;
- 626 (d) the Murray School District; and
- 627 (e) the Tooele School District;

628 (5) the Mountainland [\[Applied Technology College\]](#) Campus which serves the
629 geographic area encompassing:

- 630 (a) the Alpine School District;
- 631 (b) the Nebo School District;
- 632 (c) the Provo School District;
- 633 (d) the South Summit School District;
- 634 (e) the North Summit School District;
- 635 (f) the Wasatch School District; and
- 636 (g) the Park City School District;

637 (6) the Uintah Basin [\[Applied Technology College\]](#) Campus which serves the
638 geographic area encompassing:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

(a) the Daggett School District;

(b) the Duchesne School District; and

(c) the Uintah School District;

(7) the Southwest ~~[Applied Technology College]~~ Campus which serves the

geographic area encompassing:

(a) the Beaver School District;

(b) the Garfield School District;

(c) the Iron School District; and

(d) the Kane School District; and

(8) the Dixie ~~[Applied Technology College]~~ Campus which serves the geographic area

encompassing the Washington School District.

53B-2a-106. ~~[College campuses]~~ Campuses -- Duties.

(1) Each Utah ~~[College of Applied]~~ Institute of Technology ~~[college]~~ campus shall:

(a) offer a non-credit, post-secondary and extra-secondary ~~[applied technology]~~

career and technical education curriculum;

(b) offer that curriculum at:

(i) market cost to adult students, as approved by the board of trustees ~~[and the State~~

~~Board of Regents]~~; and

(ii) no tuition to secondary students within the campus' jurisdiction;

(c) provide ~~[applied technology]~~ career and technical education that will result in:

(i) appropriate licensing, certification, or other evidence of completion of training; and

(ii) qualification for specific employment, with an emphasis on high demand, high

wage jobs in business and industry;

~~[(d) offer associate of [applied technology] career and technical degrees that have:~~

~~—— (i) instruction provided in an open-entry, open-exit environment, except as required by external entities; and~~

~~—— (ii) been reviewed by the board of trustees and approved by the State Board of Regents in accordance with Section 53B-1-103;]~~

~~[(e)]~~ (d) develop cooperative agreements with ~~[local]~~ school districts, charter schools,

other higher education institutions, businesses, industries, and community and private

agencies to maximize the availability of instructional facilities; and

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

671 ~~[(f)]~~ (e) after consulting with ~~[local]~~ school districts and charter schools within the
672 geographic area served by the ~~[college]~~ campus:

673 (i) ensure that secondary students in the public education system have access to
674 ~~[applied technology]~~ career and technical education at each ~~[college]~~ campus; and

675 (ii) prepare and submit an annual report to the Utah ~~[College of Applied]~~ Institute of
676 Technology detailing:

677 (A) how the ~~[applied technology]~~ career and technical education needs of secondary
678 students within the region are being met;

679 (B) what access secondary students within the region have to programs offered at
680 ~~[college]~~ campuses; and

681 (C) how the emphasis on high demand, high wage jobs in business and industry
682 described in Subsection (1)(c)(ii) is being provided.

683 (2) A ~~[college]~~ campus may offer a competency-based high school diploma approved
684 by the State Board of Education in accordance with Section 53A-1-402.

685 (3) A ~~[college]~~ campus may not:

686 (a) offer courses other than ~~[applied technology]~~ career and technical education and
687 preparatory instruction in areas such as reading and mathematics that are necessary for
688 student success in a chosen ~~[applied technology]~~ career and technical education or
689 job-related program;

690 (b) offer a degree ~~[other than an associate of [applied technology] career and~~
691 ~~technical education degree approved by the State Board of Regents in accordance with~~
692 Section 53B-1-103];

693 (c) provide tenure or academic rank for its instructors; and

694 (d) participate in intercollegiate athletics.

695 (4) (a) The mission of a ~~[college]~~ campus is limited to ~~[applied technology]~~ non-credit
696 career and technical education and may not expand to include credit-based academic
697 programs typically offered by community colleges or other institutions of higher education.

698 (b) A ~~[college]~~ campus may not offer a ~~[noncredit]~~ non-credit academic program that
699 is offered as a ~~[noncredit]~~ non-credit program by another higher education institution that is
700 located in the same service region unless the program has received ~~[approval through the~~
701 ~~regional planning process required by the State Board of Regents]~~ the approval of the Utah
702 Institute of Technology board of trustees.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

~~[(c) If a program is approved to be offered at more than one institution of higher education through the regional planning process required by the State Board of Regents, the institutions within that region shall agree to a uniform tuition for that program and submit the proposed tuition level to the State Board of Regents for approval.]~~

(5) ~~[Each]~~ A campus shall be recognized as a ~~[college]~~ campus of the Utah ~~[College of Applied]~~ Institute of Technology, and regional affiliation shall be retained and recognized through local designations such as "Bridgerland Campus of the Utah Institute of Technology ~~[Applied Technology College: A Utah College of Applied Technology Campus]~~."

53B-2a-107. Campus presidents -- Appointments -- Duties.

(1) (a) The president of the Utah ~~[College of Applied]~~ Institute of Technology shall after consultation with the campus board of directors and with the approval of board of trustees, appoint a campus president for a ~~[college]~~ campus. ~~[from a list of at least three names submitted to the president by the campus board of directors to]~~

(b) A campus president shall serve as the chief administrative officer of the ~~[college]~~ campus.

~~[(b)]~~ (c) A campus president does not need to have a doctorate degree, but shall have extensive experience in ~~[applied technology]~~ career and technical education.

~~[(c)]~~ (d) A campus president is subject to regular review and evaluation administered by the Utah ~~[College of Applied]~~ Institute of Technology president, in cooperation with the campus board of directors, through a process approved by the board of trustees.

~~[(d)]~~ (e) A campus president serves at the discretion of the Utah ~~[College of Applied]~~ Institute of Technology president, in cooperation with the campus board of directors and the board of trustees.

(2) Each campus president of a ~~[college]~~ campus shall:

(a) serve as the executive officer of the campus board of directors;

(b) administer the day-to-day operations of the ~~[college]~~ campus.

(c) consult with ~~[under the direction of]~~ the campus board of directors; and

~~[(c)]~~ (d) administer human resource policies and employee compensation plans in accordance with the requirements of the Utah ~~[College of Applied]~~ Institute of Technology Board of Trustees.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

53B-2a-108. Campus boards of directors -- Membership -- Appointments.

~~[Each]~~ A campus shall have a campus board of directors appointed as follows:

(1) the Bridgerland ~~[Applied Technology College]~~ Campus Board of Directors shall be composed of the following ~~[13]~~ 11 members:

(a) one elected local school board member appointed by the board of education for the Box Elder School District;

(b) one elected local school board member appointed by the board of education for the Cache School District;

(c) one elected local school board member appointed by the board of education for the Logan School District;

(d) one elected local school board member appointed by the board of education for the Rich School District;

(e) one member of the Utah State University board of trustees; and

~~[(f) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and]~~

~~[(g)]~~ (f) ~~[seven]~~ six representatives of business or industry employers within the region appointed jointly by the members appointed under Subsections (1)(a) through ~~[(f)]~~ (e);

(2) the Ogden-Weber ~~[Applied Technology College]~~ Campus Board of Directors shall be composed of the following ~~[11]~~ 9 members:

(a) one elected local school board member appointed by the board of education for the Ogden City School District;

(b) one elected local school board member appointed by the board of education for the Weber School District;

(c) one elected local school board member jointly appointed by the boards of education for the Ogden City School District and the Weber School District;

(d) one member of the Weber State University board of trustees; and

~~[(e) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and]~~

~~[(f)]~~ (e) ~~[six]~~ five representatives of business or industry employers within the region appointed jointly by the members appointed under Subsections (2)(a) through ~~[(e)]~~ (d);

(3) the Davis ~~[Applied Technology College]~~ Campus Board of Directors shall be composed of the following ~~[11]~~ 9 members:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

767 (a) one elected local school board member appointed by the board of education for
768 the Davis School District;

769 (b) one elected local school board member appointed by the board of education for
770 the Morgan School District;

771 (c) one elected local school board member jointly appointed by the boards of
772 education for the Davis School District and the Morgan School District;

773 (d) one member of the Weber State University board of trustees; and

774 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
775 ~~Board of Regents to serve a one-year term; and]~~

776 ~~[(f)]~~ ~~(e)~~ ~~[six]~~ five representatives of business or industry employers within the region
777 appointed jointly by the members appointed under Subsections (3)(a) through ~~[(e)]~~ (d);

778 (4) the Salt Lake/Tooele ~~[Applied Technology College]~~ Campus Board of Directors
779 shall be composed of the following ~~[15]~~ 13 members:

780 (a) one elected local school board member appointed by the board of education for
781 the Salt Lake City School District;

782 (b) one elected local school board member appointed by the board of education for
783 the Granite School District;

784 (c) one elected local school board member appointed by the board of education for
785 the Jordan School District;

786 (d) one elected local school board member appointed by the board of education for
787 the Murray School District;

788 (e) one elected local school board member appointed by the board of education for
789 the Tooele School District;

790 (f) one member of the Salt Lake Community College board of trustees; and

791 ~~[(g) one member [of the State Board of Regents] designated by the chair of the State~~
792 ~~Board of Regents [to serve a one-year term]; and]~~

793 ~~[(h)]~~ ~~(g)~~ ~~[eight]~~ seven representatives of business or industry employers within the
794 region appointed jointly by the members appointed under Subsections (4)(a) through ~~[(g)]~~ (f);

795 (5) the Mountainland ~~[Applied Technology College]~~ Campus Board of Directors shall
796 be composed of the following ~~[19]~~ 17 members:

797 (a) one elected local school board member appointed by the board of education for
798 the Alpine School District;

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

799 (b) one elected local school board member appointed by the board of education for
800 the Nebo School District;

801 (c) one elected local school board member appointed by the board of education for
802 the Provo School District;

803 (d) one elected local school board member appointed by the board of education for
804 the South Summit School District;

805 (e) one elected local school board member appointed by the board of education for
806 the North Summit School District;

807 (f) one elected local school board member appointed by the board of education for
808 the Wasatch School District;

809 (g) one elected local school board member appointed by the board of education for
810 the Park City School District;

811 (h) one member of the Utah Valley University board of trustees; and

812 ~~[(f) one member of the State Board of Regents designated by the chair of the State~~
813 ~~Board of Regents to serve a one-year term; and]~~

814 ~~[(f)]~~ (i) ~~[ten]~~ nine representatives of business or industry employers within the region
815 appointed jointly by the members appointed under Subsections (5)(a) through ~~[(f)]~~ (h);

816 (6) the Uintah Basin ~~[Applied Technology College]~~ Campus Board of Directors shall
817 be composed of the following ~~[11]~~ nine members:

818 (a) one elected local school board member appointed by the board of education for
819 the Daggett School District;

820 (b) one elected local school board member appointed by the board of education for
821 the Duchesne School District;

822 (c) one elected local school board member appointed by the board of education for
823 the Uintah School District;

824 (d) one member of the Utah State University board of trustees; and

825 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
826 ~~Board of Regents to serve a one-year term; and]~~

827 ~~[(f)]~~ (e) ~~[six]~~ five representatives of business or industry employers within the region
828 appointed jointly by the members appointed under Subsections (6)(a) through ~~[(e)]~~ (d);

829 (7) the Southwest ~~[Applied Technology College]~~ Campus Board of Directors shall be
830 composed of the following ~~[13]~~ 11 members:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

831 (a) one elected local school board member appointed by the board of education for
832 the Beaver School District;

833 (b) one elected local school board member appointed by the board of education for
834 the Garfield School District;

835 (c) one elected local school board member appointed by the board of education for
836 the Iron School District;

837 (d) one elected local school board member appointed by the board of education for
838 the Kane School District;

839 (e) one member of the Southern Utah University board of trustees; and

840 ~~[(f) one member of the State Board of Regents designated by the chair of the State~~
841 ~~Board of Regents to serve a one-year term; and]~~

842 ~~[(g)]~~ (f) ~~[seven]~~ six representatives of business or industry employers within the region
843 appointed jointly by the members appointed under Subsections (7)(a) through ~~[(f)]~~ (e);

844 (8) the Dixie ~~[Applied Technology College]~~ Campus Board of Directors shall be
845 composed of the following ~~[11]~~ nine members:

846 (a) three elected local school board members appointed by the board of education for
847 the Washington School District;

848 (b) one member of the Dixie State College of Utah board of trustees; and

849 ~~[(c) one member of the State Board of Regents designated by the chair of the State~~
850 ~~Board of Regents to serve a one-year term; and]~~

851 ~~[(d)]~~ (c) ~~[six]~~ five representatives of business or industry employers within the region
852 appointed jointly by the members appointed under Subsections (8)(a) through ~~[(e)]~~ (b); and

853 (9) the representatives of business or industry employers shall be _

854 (a) appointed jointly by the designated members from a list of names provided by local
855 organizations or associations whose members employ workers with [applied technology]
856 career and technical education[:] _

857 (b) individuals recognized for their knowledge and expertise;

858 (c) individuals who represent current and emerging technical career clusters of the
859 state; and.

860 (d) appointed on a nonpartisan basis.

861

862 **53B-2a-109. Campus boards of directors -- Terms -- Quorum -- Chair--**

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

863 **Compensation.**

864 (1) (a) At the first meeting of a campus board of directors after ~~[September 1, 2001]~~
865 July 1, 2009:

866 (i) the representatives ~~[from the]~~ appointed by the local school boards shall divide up
867 their positions so that approximately half of them serve for two-year terms and half serve for
868 four-year terms; and

869 (ii) the representatives from business and industry employers shall divide up their
870 positions so that approximately half of them serve for two-year terms and half serve for
871 four-year terms.

872 (b) Except as provided in Subsection (1)(a) ~~[and except for State Board of Regents~~
873 ~~members who serve a one-year term]~~, individuals appointed to a campus board of directors
874 shall serve four-year terms.

875 (2) The original appointing authority shall fill any vacancies that occur on the campus
876 board of directors.

877 (3) A majority of the campus board of directors is a quorum.

878 (4) ~~[The]~~ A campus board of directors shall elect a chair from its membership.

879 (5) (a) (i) Members who are not government employees shall receive no
880 compensation or benefits for their services, but may receive per diem and expenses incurred
881 in the performance of the member's official duties from the campus board of directors at the
882 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

883 (ii) Members may decline to receive per diem and expenses for their service.

884 (b) (i) Higher education members who do not receive salary, per diem, or expenses
885 from the entity that they represent for their service may receive per diem and expenses
886 incurred in the performance of their official duties from the campus board of directors at the
887 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

888 (ii) Higher education members may decline to receive per diem and expenses for their
889 service.

890 (c) (i) Members appointed by local school boards who do not receive salary, per diem,
891 or expenses from the entity that they represent for their service may receive per diem and
892 expenses incurred in the performance of their official duties from the campus board of
893 directors at the rates established by the Division of Finance under Sections 63A-3-106 and
894 63A-3-107.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

895 (ii) Local school board members may decline to receive per diem and expenses for
896 their service.

897 (6) (a) ~~[Each]~~ A campus board of directors may enact bylaws for its own government,
898 including provision for regular meetings, that are in accordance with the policies of the Utah
899 ~~[College of Applied]~~ Institute of Technology.

900 (b) (i) The campus board of directors may provide for an executive committee in its
901 bylaws.

902 (ii) If established, the committee shall have the full authority of the campus board of
903 directors to act upon routine matters during the interim between [regional] board meetings.

904 (iii) The committee may act on nonroutine matters only under extraordinary and
905 emergency circumstances.

906 (iv) The committee shall report its activities to the campus board of directors at its
907 next regular meeting following the action.

908 (7) A [regional] campus board of directors may establish advisory committees.

909 910 **53B-2a-110. Campus board of directors -- Powers and duties.**

911 (1) ~~[Each]~~ A campus board of directors shall:

912 (a) assist the campus president in preparing ~~[prepare and submit]~~ a budget request
913 for its annual operations to the Utah ~~[College of Applied]~~ Institute of Technology Board of
914 Trustees;

915 (b) after consulting with the Utah ~~[College of Applied]~~ Institute of Technology, other
916 higher education institutions, ~~[and]~~ [local] school districts, and charter schools within its
917 region, prepare a comprehensive strategic plan for delivering ~~[applied technology]~~ career and
918 technical education within its region;

919 (c) consult with business, industry, the Department of Workforce Services, the
920 Governor's Office of Economic Development, and the Governor's Office of Planning and
921 Budget on an ongoing basis to determine what workers and skills are needed for
922 employment in Utah businesses and industries;

923 (d) develop programs based upon the information gathered in accordance with
924 Subsection (1)(c), including expedited program approval and termination procedures to meet
925 market needs;

926 (e) adopt an annual budget and fund balances;

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

927 (f) develop policies for the operation of applied technology education facilities under
928 its jurisdiction;

929 (g) establish human resources and compensation policies for all employees in
930 accordance with policies of the Utah ~~[College of Applied]~~ Institute of Technology Board of
931 Trustees;

932 (h) approve credentials for employees and assign employees to duties in accordance
933 with the Utah ~~[College of Applied]~~ Institute of Technology Board of Trustees policies and
934 accreditation guidelines;

935 (i) conduct annual program evaluations;

936 (j) appoint program advisory committees and other advisory groups to provide
937 counsel, support, and recommendations for updating and improving the effectiveness of
938 training programs and services;

939 (k) approve regulations, both regular and emergency, to be issued and executed by
940 the campus president;

941 (l) coordinate with local school boards, ~~[and]~~ school districts, and charter schools to
942 protect the ~~[applied technology]~~ career and technical education needs of secondary students;
943 and

944 (m) develop policies and procedures for the admission, classification, instruction, and
945 examination of students in accordance with the policies and accreditation guidelines of the
946 Utah ~~[College of Applied]~~ Institute of Technology~~[:]~~ and the State Board of Education~~[-and~~
947 ~~the State Board of Regents]~~.

948 (2) A campus board of directors may not exercise any jurisdiction over ~~[applied~~
949 ~~technology]~~ career and technical education provided by a ~~[local]~~ school district or charter
950 school or provided by a higher education institution independently of a ~~[college]~~ campus.

951 (3) If a program advisory committee or other advisory group submits a printed
952 recommendation to the campus board of directors, the campus board of directors shall
953 acknowledge the recommendation with a printed response that explains the campus board
954 of directors' action regarding the recommendation and the reasons for the action.

955

956 **53B-2a-111. ~~[State]~~ Board of ~~[Regents]~~ Trustees -- Consultation with ~~[boards~~**
957 **of trustees] State Board of Regents .**

958 (1) The ~~[board]~~ Utah Institute of Technology Board of Trustees shall consult with the

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

959 ~~[Utah College of Applied Technology Board of Trustees or the president of the Utah College~~
960 ~~of Applied Technology or both before acting on matters pertaining to the]~~ [Utah College of
961 Applied Technology] State Board of Regents to coordinate the delivery of career and
962 technical education.

963 ~~[(2) The board shall consult with a campus board of directors or the campus president~~
964 ~~or both before acting on matters pertaining to a college campus.]~~

965 ~~[(3)]~~ (2) The Utah Institute of Technology Board of Trustees [board] may[
966 ~~— (a) call] request~~ meetings with the State Board of Regents. ~~[Utah College of Applied~~
967 ~~Technology Board of Trustees or one or more of the campus boards of directors; and~~
968 ~~— (b) appoint committees to perform duties assigned by the board that include:~~
969 ~~— (i) (A) members of the Utah College of Applied Technology Board of Trustees; or~~
970 ~~— (B) administrators of the Utah College of Applied Technology; or~~
971 ~~— (ii) (A) members of one or more of the campus boards of directors; or~~
972 ~~— (B) administrators, faculty staff members, or students of one or more of the college~~
973 ~~campuses.]~~

974

975 **53B-2a-112. ~~[College campuses]~~ Campuses -- Relationships with other public**
976 **and higher education institutions -- Agreements -- Priorities -- New capital facilities.**

977 (1) As used in this section, "higher education institution" means, for each [college]
978 campus, the higher education institution designated in Section 53B-2a-108, except for the
979 State Board of Regents, to have a representative on its campus board of directors.

980 (2) A [college] campus shall avoid any unnecessary duplication of [applied
981 technology] career and technical education instructional facilities, programs, administration,
982 and staff between the [college] campus and other public and higher education institutions.

983 (3) A [college] campus may enter into agreements:

984 (a) with other higher education institutions to cultivate cooperative relationships;

985 (b) with other public and higher education institutions to enhance [applied technology]
986 career and technical education within its region; or

987 (c) to comply with Subsection (2).

988 (4) Before a [college] campus develops its own new instructional facilities, it shall give
989 priority to:

990 (a) maintaining its own existing instructional facilities for both secondary and adult

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

991 students;

992 (b) coordinating with the president of a higher education institution and entering into
993 any necessary agreements to provide [applied technology] career and technical education to
994 both secondary and adult students that:

995 (i) maintain and support existing higher education [applied technology] career and
996 technical education programs; and

997 (ii) maximize the use of existing higher education facilities; and

998 (c) developing cooperative agreements with [local] school districts, charter schools,
999 other higher education institutions, businesses, industries, and community and private
1000 agencies to maximize the availability of [applied technology] career and technical education
1001 instructional facilities for both secondary and adult students.

1002 (5) (a) Before submitting a funding request pertaining to new capital facilities and land
1003 purchases to the Utah [College of Applied] Institute of Technology, a [college] campus shall:

1004 (i) ensure that all available instructional facilities are maximized in accordance with
1005 Subsections (4)(a) through (c); and

1006 (ii) coordinate the request with the president of a higher education institution, if
1007 applicable.

1008 (b) The State Building Board shall make a finding that the requirements of this section
1009 are met before it may consider a funding request of the Utah [College of Applied] Institute of
1010 Technology pertaining to new capital facilities and land purchases.

1011 (c) A [college] campus may not construct, approve the construction of, plan for the
1012 design or construction of, or consent to the construction of an [applied technology] career
1013 and technical education facility without approval of the Legislature.

1014 (6) Before acquiring new fiscal and administrative support structures, a [college]
1015 campus shall:

1016 (a) review the use of existing public or higher education administrative and accounting
1017 systems, financial record systems, and student and financial aid systems for the delivery of
1018 [applied technology] career and technical education in the region;

1019 (b) determine whether it is feasible to use those existing systems; and

1020 (c) with the approval of the campus board of directors and the board of trustees, use
1021 those existing systems.

1022 ~~[(7) (a) The higher education institution for the region shall have the first opportunity~~

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1023 ~~to offer the general education courses that are required for an associate of [applied~~
1024 ~~technology] career and technical education degree offered by the Utah [College of Applied]~~
1025 ~~Institute of Technology, at the [college] campus site.~~

1026 ~~—— (b) The content of the general education courses described in Subsection (7)(a) shall~~
1027 ~~be defined by the higher education institution for the region in a manner consistent with the~~
1028 ~~needs of the Utah [College of Applied] Institute of Technology.~~

1029 ~~—— (c) If the higher education institution for the region is unable to offer the courses~~
1030 ~~described in Subsection (7)(a), other institutions of higher education may offer those~~
1031 ~~courses.]~~

1032 ~~[(d) The college campuses shall be responsible to provide technical skills training and~~
1033 ~~basic skills as required by business and industry towards an associate of applied technology~~
1034 ~~degree.]~~

1035

1036 **53B-2a-113. ~~[College campuses]~~ Campuses -- Leasing authority --**

1037 **Lease-purchase agreements -- Report.**

1038 (1) In accordance with Subsection 53B-2a-112(2), a ~~[college]~~ campus may enter into
1039 a lease with other higher education institutions, public school districts, charter schools, state
1040 agencies, or business and industry for a term of:

1041 (a) one year or less with the approval of the campus board of directors ; and

1042 (b) more than one year with the approval of the board of trustees and:

1043 (i) the approval of funding for the lease by the Legislature prior to a ~~[college]~~ campus
1044 entering into the lease; or

1045 (ii) the lease agreement includes language that allows termination of the lease without
1046 penalty.

1047 (2) (a) In accordance with Subsection 53B-2a-112(2), a ~~[college]~~ campus may enter
1048 into a lease-purchase agreement if:

1049 (i) there is a long-term benefit to the state;

1050 (ii) the project is included in both the campus and Utah ~~[College of Applied]~~ Institute
1051 of Technology master plans;

1052 (iii) the lease-purchase agreement includes language that allows termination of the
1053 lease;

1054 (iv) the lease-purchase agreement is approved by the campus board of directors and

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1055 the board of trustees; and

1056 (v) the lease-purchase agreement is:

1057 (A) reviewed by the Division of Facilities Construction and Management;

1058 (B) reviewed by the State Building Board; and

1059 (C) approved by the Legislature.

1060 (b) An approval under Subsection (2)(a) shall include a recognition of:

1061 (i) all parties, dates, and elements of the agreement;

1062 (ii) the equity or collateral component that creates the benefit; and

1063 (iii) the options dealing with the sale and division of equity.

1064 (3) (a) Each [college] campus shall provide an annual lease report to the board of
1065 trustees that details each of its leases, annual costs, location, square footage, and
1066 recommendations for lease continuation.

1067 (b) The president of the Utah [College of Applied] Institute of Technology shall
1068 compile and distribute an annual combined lease report for all [college] campuses to the
1069 Division of Facilities Construction Management and to others upon request.

1070 (4) The Utah [College of Applied] Institute of Technology shall use the annual
1071 combined lease report in determining planning, utilization, and budget requests.

1072

1073 53B-2a-114. Utah Institute of Technology -- Institutional name change.

1074 (1) Beginning July 1, 2009, the Utah College of Applied Technology shall be known as
1075 the Utah Institute of Technology

1076 (2) The Utah Institute of Technology is a continuation of the Utah College of Applied
1077 Technology and shall:

1078 (a) possess all rights, title, privileges, powers, immunities, franchises, endowments,
1079 property, and claims of the college; and

1080 (b) fulfill and perform all obligations of the college, including obligations relating to
1081 outstanding bonds and notes.

1082

1083 **53B-6-101. Additional responsibilities of the board -- Studies and evaluations --**
1084 **Master plan for higher education -- Productivity -- Institutional student assessment --**
1085 **Biennial accountability report to the Legislature.**

1086 (1) The board shall conduct continuing studies and evaluations of the facilities,

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1087 grounds, buildings, and equipment at the higher education institutions under its jurisdiction
1088 and use space utilization and other studies conducted by the State Building Board.

1089 (2) The board shall establish and maintain an up-to-date master plan which shall
1090 include:

1091 (a) providing for statewide planning of public higher education in terms of aims,
1092 purposes, and objectives of the system as a whole;

1093 (b) establishing and defining the role and programs of each institution within the
1094 system;

1095 (c) establishing criteria for and determination of the future needs and requirements for
1096 new programs and new institutions and the elimination, curtailment, or consolidation of
1097 existing programs and facilities;

1098 (d) providing for the initiation and financing of projects as considered necessary to
1099 meet and satisfy the projected patterns of growth and maintenance;

1100 (e) establishing criteria for and determination of the operating and capital budgetary
1101 needs of each institution and the system as a whole;

1102 (f) recommending the methods and sources of future financial support of the higher
1103 education system;

1104 (g) establishing procedures for the development of maximum utilization of existing
1105 facilities as suggested by space utilization studies conducted by the State Building Board;

1106 and

1107 (h) securing an adequate and coordinated program for the community colleges and
1108 ~~[applied technology/technical]~~ career and technical education programs in the institutions and
1109 departments in the state system of higher education.

1110 (3) (a) The board may do all things necessary for the effective implementation of the
1111 statewide master plan as adopted and revised by the board from time to time.

1112 (b) The State Board of Education and the Utah ~~[College of Applied]~~ Institute of
1113 Technology shall provide ~~[applied technology]~~ career and technical education staff
1114 assistance to the State Board of Regents in support of master planning activities related to
1115 ~~[applied technology]~~ career and technical education in higher education.

1116 (4) (a) The board shall adopt rules and initiate programs to promote and increase
1117 productivity in the state system of higher education.

1118 (b) The board shall require each college and university in the system to establish

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1119 multiple measures of institutional and student assessment in order to improve student
1120 instruction, academic programs, and learning opportunities.

1121 (c) The board shall submit a biennial accountability report to the Legislature, which
1122 shall include such factors as:

1123 (i) space utilization, faculty productivity, and other similar measures of the
1124 management of institutional resources at each institution; and

1125 (ii) student assessment at entry to each institution, at critical midway points, and at
1126 exit.

1127 (d) The board shall establish a systemwide committee to address assessment and
1128 accountability issues and propose essential elements to be included in the biennial report.

1129

1130 **53B-8-105. New Century scholarships -- High school requirements.**

1131 (1) (a) In addition to Centennial Scholarships awarded under Section 53A-15-102 and
1132 Career Teaching Scholarships awarded under Title 53B, Chapter 10, Terrel H. Bell Teaching
1133 Incentive Loan Program, the State Board of Regents and the State Board of Education shall
1134 jointly award New Century scholarships.

1135 (b) In order to qualify for a New Century scholarship, a student in Utah schools shall
1136 complete the requirements for an:

1137 (i) associate degree; or

1138 (ii) approved math and science curriculum.

1139 (c) The requirements under Subsection (1)(b) shall be completed:

1140 (i) September 1 of the year the student's class graduates from high school; and

1141 (ii) with at least a "B" average or 3.0 grade point average.

1142 (d) The State Board of Regents shall develop and approve the math and science
1143 curriculum described under Subsection (1)(b)(ii).

1144 (2) (a) The scholarship may be used at a:

1145 (i) higher education institution within the state system of higher education that offers
1146 baccalaureate programs; or

1147 (ii) private, nonprofit college or university in the state accredited by the Northwest
1148 Association of Schools and Colleges that offers baccalaureate programs.

1149 (b) (i) If used at an institution within the state system of higher education, the
1150 scholarship is equal in value to 75% of the tuition costs at the selected institution.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1151 (ii) If used at an institution not within the state system of higher education, the
1152 scholarship is equal in value to 75% of the tuition costs at the institution, not to exceed 75%
1153 of the average tuition costs at the institutions referred in Subsection (2)(b)(i).

1154 (c) Each scholarship is valid for up to two years of full-time equivalent enrollment, or
1155 until the requirements for a baccalaureate degree have been met, whichever is shorter.

1156 (d) The State Board of Regents may grant a leave of absence to a scholarship holder,
1157 but the scholarship must be used in its entirety within five years after completion of high
1158 school.

1159 (3) The New Century scholarship may be canceled at any time by the institution of
1160 attendance if the student fails to:

1161 (a) maintain a "B" average for two consecutive semesters; or

1162 (b) make reasonable progress towards the completion of a baccalaureate degree.

1163 (4) (a) The Legislature shall make an annual appropriation from the General Fund to
1164 the State Board of Regents for the costs associated with the New Century scholarship
1165 program authorized under this section.

1166 (b) It is understood that the appropriation is offset in part by the state moneys that
1167 would otherwise be required and appropriated for these students if they were enrolled in a
1168 four-year postsecondary program at a state-operated institution.

1169 (c) Notwithstanding Subsections (1) and (2), if the appropriation under Subsection
1170 (4)(a) is insufficient to cover the costs associated with the New Century scholarship program,
1171 the State Board of Regents may limit or reduce scholarships.

1172 (5) This section does not apply to a student who completes an associate of applied
1173 technology degree from the Utah College of Applied Technology or a degree from the Utah
1174 Institute of Technology.

1175

1176 **53B-8-108. Regents' Scholarship Program -- General provisions -- Board** 1177 **policies.**

1178 (1) The Regents' Scholarship Program is created to award merit scholarships to
1179 students who complete a rigorous core course of study in high school.

1180 (2) A student who is awarded the Base Regents' Scholarship established in Section
1181 53B-8-109 may also be awarded each of the supplemental awards established in Sections
1182 53B-8-110 and 53B-8-111.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

- 1183 (3) A Regents' Scholarship may only be used at a:
- 1184 (a) higher education institution within the state system of higher education, including
- 1185 the Utah ~~[College of Applied]~~ Institute of Technology;
- 1186 (b) private, nonprofit college or university in this state that is accredited by the
- 1187 Northwest Association of Schools and Colleges; or
- 1188 (c) Western Undergraduate Exchange program that is approved by the board.
- 1189 (4) (a) Except as provided in Subsection (4)(b), a scholarship holder shall enroll full
- 1190 time at a higher education institution within the state system of higher education within 12
- 1191 months of the student's high school graduation.
- 1192 (b) The State Board of Regents may grant a leave of absence to a scholarship holder,
- 1193 but the scholarship shall be used in its entirety within five years after completion of high
- 1194 school.
- 1195 (5) (a) The board shall annually report on the Regents' Scholarship Program at the
- 1196 beginning of each school year to the Education Interim Committee and the Higher Education
- 1197 Appropriations Subcommittee.
- 1198 (b) The report shall include the number of students in each school district and public
- 1199 high school who meet the academic criteria for the Base Regents' Scholarship and for the
- 1200 Exemplary Academic Achievement Scholarship.
- 1201 (c) The State Board of Education, school districts, and public high schools shall
- 1202 cooperate with the State Board of Regents to facilitate the collection and distribution of
- 1203 Regents' Scholarship Program data.
- 1204 (6) The State Board of Education shall annually provide the State Board of Regents a
- 1205 complete list of directory information, including student name and address, for all grade 8
- 1206 students in the state.
- 1207 (7) The board shall, by July 15, 2008, adopt policies establishing:
- 1208 (a) the high school and college course requirements, including group credit
- 1209 requirements, described in Subsection 53B-8-109(1)(e);
- 1210 (b) the cumulative grade point average required in Sections 53B-8-109 and
- 1211 53B-8-111;
- 1212 (c) the additional weights assigned to grades earned in certain courses for purposes
- 1213 of calculating a student's cumulative high school grade point average;
- 1214 (d) the regional accrediting bodies that may accredit a private high school described

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1215 in Subsection 53B-8-109(1)(a)(ii);

1216 (e) the application process for a Regents' Scholarship, including procedures to allow a
1217 parent or student to apply for the scholarship on-line; and

1218 (f) Western Undergraduate Exchange programs that are approved for the use of a
1219 Regents' Scholarship.

1220 (8) (a) The Legislature shall make an annual appropriation from the Education Fund
1221 to the State Board of Regents for the costs associated with the Regents' Scholarship
1222 Program authorized under this section and Sections 53B-8-109, 53B-8-110, and 53B-8-111.

1223 (b) Notwithstanding the provisions of this section and Sections 53B-8-109, 53B-8-110,
1224 and 53B-8-111, if the appropriation under Subsection (8)(a) is insufficient to cover the costs
1225 associated with the Regents' Scholarship Program, the State Board of Regents may limit or
1226 reduce the Base Regents' Scholarships and supplemental awards.

1227

1228 **53B-16-102. Changes in curriculum -- Substantial alterations in institutional**
1229 **operations -- Periodic review of programs -- [Applied technology] career and technical**
1230 **education curriculum changes.**

1231 (1) Under procedures and policies approved by the board and developed in
1232 consultation with each institution of higher education, each institution may make such
1233 changes in its curriculum as necessary to better effectuate the institutional role previously
1234 approved by the board.

1235 (2) Notice of a change in the curriculum shall in all cases be promptly submitted to the
1236 board.

1237 (3) The board shall establish procedures and policies for considering institutional
1238 proposals for substantial alterations in the scope of existing institutional operations.

1239 (4) Alterations shall not be made without prior approval of the state board.

1240 (5) For purposes of this section, "substantial alteration" means the establishment of a
1241 branch, extension center, college, professional school, division, institute, department, or a
1242 new program in instruction, research, or public services or a new degree, diploma, or
1243 certificate.

1244 (6) The board shall conduct periodic reviews of all programs of instruction, research,
1245 and public service at each institution, including those funded by gifts, grants, and contracts,
1246 and may require the modification or termination of any program.

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1247 (7) Prior to requiring modification or termination of a program, the board shall give the
1248 institution adequate opportunity for a hearing before the board.

1249 (8) In making decisions related to ~~[applied technology]~~ career and technical education
1250 curriculum changes, the board shall request a review of the proposed changes by the State
1251 Board of Education to ensure an orderly and systematic ~~[applied technology]~~ career and
1252 technical education curriculum that eliminates overlap and duplication of course work with the
1253 high schools ~~[and]~~ , the Utah ~~[College of Applied]~~ Institute of Technology , and other
1254 institutions of higher education.

1255

1256 **53B-16-205. Establishment of Snow College Richfield campus -- Supervision** 1257 **and administration -- Transition -- Institutional mission.**

1258 (1) There is established a branch campus of Snow College in Richfield, Utah,
1259 hereafter referred to as the Snow College Richfield campus.

1260 (2) Snow College shall administer the branch campus under the general control and
1261 supervision of the State Board of Regents as an integrated part of Snow College's mission,
1262 programs, and curriculum.

1263 (3) Snow College shall:

1264 (a) maintain a strong curriculum in ~~[applied technology and technical]~~ career and
1265 technical education courses at the Snow College Richfield campus and within the region
1266 served by Snow College which can be transferred to other institutions within the higher
1267 education system, together with lower division courses and courses required for associate
1268 degrees in science, arts, applied science, and ~~[applied technology]~~ career and technical
1269 education;

1270 (b) work with ~~[local]~~ school districts and charter schools in developing an aggressive
1271 concurrent enrollment program in cooperation with Snow College Richfield campus; and

1272 (c) provide, through the Snow College Richfield Campus, for open-entry, open-exit
1273 competency-based ~~[applied technology]~~ career and technical education programs, at the
1274 tuition rate approved by the Utah ~~[College of Applied]~~ Institute of Technology for adults and
1275 at no tuition cost to secondary students, that emphasize short-term job training or retraining
1276 for immediate placement in the job market and serve the geographic area encompassing:

1277 (i) the Juab School District;

1278 (ii) the Millard School District;

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

- (iii) the Tintic School District;
- (iv) the North Sanpete School District;
- (v) the South Sanpete School District;
- (vi) the Wayne School District;
- (vii) the Piute School District; and
- (viii) the Sevier School District.

(4) Snow College may not exercise any jurisdiction over ~~[applied technology]~~ career and technical education provided by a ~~[local]~~ school district or charter school independently of Snow College.

(5) Snow College shall report to the Utah ~~[College of Applied]~~ Institute of Technology and the State Board of Education by September 30 of each year on the status of and maintenance of the effort for ~~[applied technology]~~ career and technical education in the region served by Snow College, including access to open-entry, open-exit competency-based ~~[applied technology]~~ career and technical education programs at the tuition rate approved by the Utah ~~[College of Applied]~~ Institute of Technology for adults and at no tuition cost to secondary students.

53B-16-206. Snow College -- ~~[Applied technology]~~ Career and technical education advisory committee -- Membership -- Duties.

(1) The Snow College Richfield campus shall have ~~[an applied technology]~~ a career and technical education advisory committee composed of the following 19 members:

(a) one elected local school board member appointed by the board of education for the Juab School District;

(b) one elected local school board member appointed by the board of education for the Millard School District;

(c) one elected local school board member appointed by the board of education for the Tintic School District;

(d) one elected local school board member appointed by the board of education for the North Sanpete School District;

(e) one elected local school board member appointed by the board of education for the South Sanpete School District;

(f) one elected local school board member appointed by the board of education for the Wayne School District;

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1311 (g) one elected local school board member appointed by the board of education for
1312 the Piute School District;

1313 (h) one elected local school board member appointed by the board of education for
1314 the Sevier School District;

1315 (i) one member of the Snow College board of trustees appointed by the president of
1316 Snow College; and

1317 (j) ten representatives of business or industry within the region appointed by the
1318 president of Snow College from nominations of the members appointed under Subsections
1319 (1)(a) through (i).

1320 (2) The ~~[applied technology]~~ career and technical education advisory committee
1321 shall:

1322 (a) after consulting with Snow College and local school districts within its region,
1323 prepare a comprehensive strategic plan for delivering ~~[applied technology]~~ career and
1324 technical education within its region;

1325 (b) make recommendations regarding what skills are needed for employment in Utah
1326 businesses and industries;

1327 (c) recommend programs based upon the information gathered in accordance with
1328 Subsection (2)(b);

1329 (d) review annual program evaluations;

1330 (e) provide counsel, support, and recommendations for updating and improving the
1331 effectiveness of ~~[applied technology]~~ career and technical education programs and
1332 services, including expedited program approval and termination of procedures, consistent
1333 with Board of Regents' policy;

1334 (f) monitor program advisory committees and other advisory groups to provide
1335 counsel, support, and recommendations for updating and improving the effectiveness of
1336 training programs and services; and

1337 (g) coordinate with local school boards , ~~[and]~~ school districts , and charter schools
1338 to protect and enhance the applied technology education needs of secondary students.

1339

1340 **53B-16-207. College of Eastern Utah -- ~~[Applied technology]~~ Career and**
1341 **technical education -- Supervision and administration -- Transition -- Institutional**
1342 **mission.**

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

(1) The College of Eastern Utah shall:

(a) maintain a strong curriculum in [applied technology] career and technical education courses at its campus and within the region it serves which can be transferred to other institutions within the higher education system, together with lower division courses and courses required for associate degrees in science, arts, applied science, and [applied technology] career and technical education;

(b) work with [local] school districts and charter schools in developing an aggressive concurrent enrollment program; and

(c) provide for open-entry, open-exit competency-based [applied technology] career and technical education programs, at the tuition rate approved by the Utah [College of Applied] Institute of Technology for adults and at no tuition cost to secondary students, that emphasize short-term job training or retraining for immediate placement in the job market and serve the geographic area encompassing:

(i) the Carbon School District;

(ii) the Emery School District;

(iii) the Grand School District; and

(iv) the San Juan School District.

(2) The College of Eastern Utah may not exercise any jurisdiction over [applied technology] career and technical education provided by a [local] school district or charter school independently of the College of Eastern Utah.

(3) The College of Eastern Utah shall report to the Utah [College of Applied] Institute of Technology and the State Board of Education by September 30 of each year on the status of and maintenance of the effort for [applied technology] career and technical education in the region served by the College of Eastern Utah, including access to open-entry, open-exit competency-based [applied technology] career and technical education programs at the tuition rate approved by the [Utah College of Applied Technology] board for adults and at no tuition cost to secondary students.

53B-16-208. The College of Eastern Utah -- [Applied technology] Career and technical education advisory committee -- Membership -- Duties.

(1) The College of Eastern Utah shall have [an applied technology] a career and technical education advisory committee composed of the following 11 members:

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1375 (a) one elected local school board member appointed by the board of education for
1376 the Carbon School District;

1377 (b) one elected local school board member appointed by the board of education for
1378 the Emery School District;

1379 (c) one elected local school board member appointed by the board of education for
1380 the Grand School District;

1381 (d) one elected local school board member appointed by the board of education for
1382 the San Juan School District;

1383 (e) one member of the College of Eastern Utah board of trustees appointed by the
1384 president of the College of Eastern Utah; and

1385 (f) six representatives of business or industry within the region appointed by the
1386 president of the College of Eastern Utah from members of the program advisory committees
1387 overseeing career and technical education in the region.

1388 (2) The ~~[applied technology]~~ career and technical education advisory committee
1389 shall:

1390 (a) after consulting with the College of Eastern Utah ~~[and]~~ , school districts, and
1391 charter schools within its region, prepare a comprehensive strategic plan for delivering
1392 ~~[applied technology]~~ career and technical education within its region;

1393 (b) make recommendations regarding what skills are needed for employment in Utah
1394 businesses and industries;

1395 (c) recommend programs based upon the information gathered in accordance with
1396 Subsection (2)(b);

1397 (d) review annual program evaluations;

1398 (e) provide counsel, support, and recommendations for updating and improving the
1399 effectiveness of ~~[applied technology]~~ career and technical education programs and services,
1400 including expedited program approval and termination of procedures, consistent with Board
1401 of Regents' policy;

1402 (f) monitor program advisory committees and other advisory groups to provide
1403 counsel, support, and recommendations for updating and improving the effectiveness of
1404 training programs and services; and

1405 (g) coordinate with local school boards ~~[and]~~ , school districts, and charter schools to
1406 protect and enhance the ~~[applied technology]~~ career and technical education needs of

WORKING DRAFT -- FOR DISCUSSION PURPOSES ONLY

1407 secondary students.

1408

1409 Section 1. **Effective date.**

1410 This bill takes effect on July 1, 2009.

1411